

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE TRANSPORTATION ELEMENT (TO REVISE AND UPDATE GOALS, OBJECTIVES AND POLICIES AND TEXT REGARDING TRAFFIC PERFORMANCE STANDARDS); AND THE FUTURE LAND USE ELEMENT (TO REVISE TO BE CONSISTENT WITH TRAFFIC PERFORMANCE STANDARDS); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

16                    **WHEREAS**, on August 31, 1989, the Palm Beach County Board of  
17                    County Commissioners adopted the 1989 Comprehensive Plan by Ordinance  
18                    No. 89-17;

19                    **WHEREAS**, the Palm Beach County Board of County Commissioners  
20                    amends the 1989 Comprehensive Plan as provided by Chapter 163, Part  
21                    II, Florida Statutes; and

22                    **WHEREAS**, the Palm Beach County Board of County Commissioners have  
23                    initiated amendments to several elements of the Comprehensive Plan in  
24                    order to promote the health, safety and welfare of the public of Palm  
25                    Beach County; and

26                    **WHEREAS**, the Palm Beach County Local Planning Agency conducted  
27                    its public hearings on February 22, March 1, and March 8, 2002 to  
28                    review the proposed amendments to the Palm Beach County Comprehensive  
29                    Plan and made recommendations regarding the proposed amendments to the  
30                    Palm Beach County Board of County Commissioners pursuant to Chapter  
31                    163, Part II, Florida Statutes; and

32                    **WHEREAS**, the Palm Beach County Board of County Commissioners, as  
33                    the governing body of Palm Beach County, conducted a public hearing  
34                    pursuant to Chapter 163, Part II, Florida Statutes, on April 8, 2002  
35                    to review the recommendations of the Local Planning Agency, whereupon  
36                    the Board of County Commissioners authorized transmittal of proposed  
37                    amendments to the Department of Community Affairs for review and  
38                    comment pursuant to Chapter 163, Part II, Florida Statutes; and

39                    **WHEREAS**, Palm Beach County received on July 1, 2002 the  
40                    Department of Community Affairs "Objections, Recommendations, and  
41                    Comments Report," dated June 28, 2002 which was the Department's  
42                    written review of the proposed Comprehensive Plan amendments; and

43                    **WHEREAS**, the written comments submitted by the Department of

Community Affairs contained no objections to the amendments contained in this ordinance;

WHEREAS, on August 28, 2002 the Palm Beach County Board of County Commissioners held a public hearing to review the written comments submitted by the Department of Community Affairs and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulations Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

## Part I. Amendments to the 1989 Comprehensive Plan

Amendments to the text of the following Element of the 1989 Comprehensive Plan are hereby adopted and attached to this Ordinance in Exhibit 1:

A. Transportation Element, to revise and update Goals, Objectives and Policies and text regarding traffic performance standards; and

B. Future Land Use Element, to revise to be consistent with traffic performance standards; and

C. Amending all elements as necessary for internal consistency.

## Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

### Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

#### Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the

1 word "ordinance" may be changed to "section," "article," or any other  
2 appropriate word.

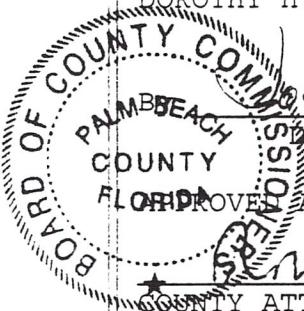
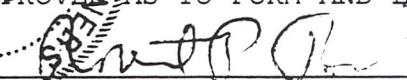
3 **Part V. Effective Date**

4 The effective date of this plan amendment shall be the date a  
5 final order is issued by the Department of Community Affairs or  
6 Administration Commission finding the amendment in compliance in  
7 accordance with Section 163.3184, Florida Statutes, whichever occurs  
8 earlier. No development orders, development permits, or land uses  
9 dependent on this amendment may be issued or commence before it has  
10 become effective. If a final order of noncompliance is issued by the  
11 Administration Commission, this amendment may nevertheless be made  
12 effective by adoption of a resolution affirming its effective status,  
13 a copy of which resolutions shall be sent to the Department of  
14 Community Affairs, Bureau of Local Planning, 2555 Shumard Oak  
15 Boulevard  
16 Tallahassee, Florida 32399-2100.

17 APPROVED AND ADOPTED by the Board of County Commissioners of  
18 Palm Beach County, on the 28 day of August, 2002.

19 ATTEST:  
20 DOROTHY H. WILKEN, Clerk

21 PALM BEACH COUNTY, FLORIDA,  
22 BY ITS BOARD OF COUNTY COMMISSIONERS

23   
24 ~~Deputy Clerk~~ Warren H. Newell By W. Newell  
25 ~~Deputy Clerk~~ Warren H. Newell, Chairman  
26  
27 PROVEN AS TO FORM AND LEGAL SUFFICIENCY  
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32 Filed with the Department of State on the 3 day of  
33 September, 2002

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36 T:\Planning\AMEND\02-1\admin\bccadopt\Ordinances\GenTransRevisions-ord.rtf

## EXHIBIT 1

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### A. Transportation Element, General Transportation Element Revisions

**REVISIONS:** To revise and update Goals, Objectives and Policies and text regarding traffic performance standards. The revisions are below, and shown with the added text underlined, and the deleted text struck out.

#### OBJECTIVE 1.1      Level of Service Standards

**Policy 1.1-a:** Development Orders issued by the County and municipalities shall be consistent with the level of service standards of this Element and the Countywide Traffic Performance Standard Ordinance. Roadway capacity shall be provided to accommodate development-related impacts at the adopted Level of Service (LOS) standard, except where otherwise indicated in Objective 1.2 of this Element or in other Goals, Objectives, and Policies of the Palm Beach County Comprehensive Plan. The implementing ordinance may effect a partial exercise in municipalities by the authority established by Section 1.3(4) of the Palm Beach County Charter. [9J-5.0055(2)(a) F.A.C.] [9J-5.019(4)(c)1 F.A.C.]

**Policy 1.1-b:**

~~No development order shall be issued by the County or a municipality for any project that adds traffic to any major thoroughfare with a volume exceeding, or which will exceed, the adopted level of service standards, except as specifically provided otherwise in this Element. The determination of whether the standard is exceeded shall consist of Test One (including Alternate Test One) and Test Two and both must be satisfied. Test One shall analyze the existing and projected level of service on an Average Daily Traffic (ADT) basis and on a peak hour basis on the Major Thoroughfare system during the anticipated build out period of the proposed project for which the development order is sought. Test Two shall analyze the proposed project against the level of service standards on the improved Major Thoroughfare system (the 2020 Cost Feasible Plan as modified by Table TE S 3). An applicant for a development order may utilize Alternate Test One (in lieu of Test 1 only). Alternate Test One shall be satisfied if: (1) the peak hour, peak season, directional link volume does not exceed the adopted level of service standard; and (2) the intersection's critical volume (using the Transportation Research Board's Special Report 209, Highway Capacity Manual (1985), "Capacity Analysis," pp. 9-21 and 9-22) does not exceed one thousand four hundred (1,400) for Level of Service D Standard and one thousand five hundred (1,500) for Level of Service E Standard during the peak hours of the peak season. Level of Service E Standards are set forth herein for use only where specifically provided in this Element.~~

~~The adopted thresholds (i.e. service volumes) for Level of Service D Standards for Test One and Alternate Test One on an ADT; peak hour; and peak hour, peak season, peak direction basis are shown in Table TE 1.~~

~~The adopted thresholds (i.e. service volumes) for Level of Service E Standards for Test One and Alternate Test One on an ADT; peak hour; and peak hour, peak season, peak direction basis are shown in Table TE 2.~~

~~No development order shall be issued by the County or a municipality for any project that adds traffic to a thoroughfare network street or intersection as defined herein and in the Unified Land Development Code (ULDC) Traffic Performance Standard that causes a LOS in Test One or Test Two to fall below acceptable levels. Traffic shall be measured by application of Test One and Test Two as described below and set forth with greater specificity in the ULDC. Exceptions are limited to those Specific Exceptions as provided for in this Element.~~

(1) Test One shall analyze the projected levels of service on the intersections and links of the Thoroughfare network as defined in the ULDC. The analysis shall consist of two components; Test One Part One – Intersection Analysis and Test One Part Two – Link Analysis.

(a) Test One Part One shall utilize the peak season, peak hour turning movement volumes at significant intersections as defined in the ULDC. The intersections must satisfy the LOS D thresholds using the 1985 Highway Capacity Manual Planning Methodology (also known as the Critical Movement Analysis, CMA). In addition to performing this analysis, subsequent analysis may be performed to show compliance using the most current Highway Capacity Manual Intersection

Operational Analysis.

(b) Test One Part Two shall utilize the peak season, peak hour traffic volumes on links within the Maximum Radius of Development Influence (MRDI) where the project has a significant impact as defined in the ULDC. The links shall operate at LOS D thresholds based on the appropriate FDOT Table for two-way, Class II, peak hour volumes as identified in Table TE 1a of this Element. Three alternative analyses may be performed using the peak season, peak hour peak directional volumes ,subsequent to the two-way peak hour analysis, to demonstrate compliance.

(i) The first alternative analysis for links requires compliance with the peak season, peak hour, peak directional volume thresholds for LOS D defined by the Class II volumes in the appropriate FDOT Table for peak hour, peak directional volumes as identified in Table TE 1a of this Element.

(ii) Any link that fails the analysis under (i) must operate at peak hour, peak directional volume thresholds for LOS D as defined by Class I category in the appropriate FDOT Table, as identified in Table 1a of this Element, and the satisfaction of LOS D criteria at each intersection of a failing link. The intersections shall be analyzed in the manner described in Policy 1.1b (1) (a).

(iii) Any link that fails the analysis under (i) and (ii) above must operate at or better LOS D based on analysis using the Current Highway Capacity Manual Arterial Analysis methodology.

(2) Test Two, as defined in the ULDC, shall analyze the proposed project against the level of service standards on the improved Major Thoroughfare system.

(3) The level of Service D thresholds for Test One, Parts One and Two and Test Two are shown in Tables TE-1a for ADT, peak hour (two-way and directional) link volumes, TE-1b: Intersection Thresholds and TE-1c; Arterial Thresholds-Speed.

(4) The Level of Service E thresholds for Test One, Parts One and Two and Test Two are shown in Tables TE- 2a- for ADT, peak hour (two-way and directional) link volumes, TE-2b: Intersection Thresholds and TE-2c; Arterial Thresholds- Speed. [9J-5.0055(2)(a)F.A.C.] [9J-5.019(4)(c)1 F.A.C.]

**TABLE TE 1a**  
**TEST ONE LEVEL OF SERVICE D Link Service Volumes**

FACILITY TYPE	ADT	PK HOUR (Two-way)	ALTERNATE TEST ONE Peak Season, Peak Hour, Peak Direction Service Volume		
			Signals per mile 0.00 TO 1.99 Class I	Signals per mile 2.00 TO 4.50 Class II	
2 lanes undivided	2L	14,900	1,390	880	790
2 lanes one-way	2LO	19,500	1,810	2,220	2,050
3 lanes two-way	3L	15,600	1,460	920	830
3 lanes one-way	3LO	29,300	2,730	3,340	3,100
4 lanes undivided	4L	24,400	2,270	1,390	1,280
4 lanes divided	4LD	32,500	3,020	1,850	1,710
5 lanes two-way	5L	32,500	3,020	1,850	1,710
6 lanes divided	6LD	48,900	4,550	2,780	2,580
8 lanes divided	8LD	60,100	5,590	3,400	3,180
4 lanes expressway	4LX	66,200	5,800		3,310
6 lanes expressway	6LX	101,600	8,900		5,080
8 lanes expressway	8LX	138,600	12,200		6,930
10 lanes expressway	10LX	173,200	15,200		8,660

**Table TE 1b: Level of Service D Intersection Thresholds**

<u>Level of Service</u>	<u>Critical Movement</u>	<u>HCM Operational Analysis</u>
<u>D</u>	<u>1400</u>	<u>Greater than 35.0 to 55.0 Seconds of Delay</u>

**Table TE 1c: Level of Service D Speed Threshold**

<u>Urban Street Class</u>	<u>I</u>	<u>II</u>	<u>III</u>
<u>Range of Free Flow Speeds (FFS)</u>	<u>55 to 45 miles per hour</u>	<u>45 to 35 miles per hour</u>	<u>35 to 30 miles per hour</u>
<u>Typical FFS</u>	<u>50 miles per hour</u>	<u>40 miles per hour</u>	<u>35 miles per hour</u>
<u>LOS D</u>	<u>Average Travel Speed (Miles per Hour)</u>		
	<u>Greater than 21 to 27</u>	<u>Greater than 17 to 22</u>	<u>Greater than 14 to 18</u>

**TABLE TE 2a  
TEST ONE LEVEL OF SERVICE E Link Service Volumes**

<u>FACILITY TYPE</u>	<u>ADT</u>	<u>PK HOUR (Two-way)</u>	<u>ALTERNATE TEST ONE</u>		
			<u>Peak Season, Peak Hour, Peak Direction Service Volume</u>	<u>Signals per mile 0.00 TO 1.99 Class I</u>	<u>Signals per mile 2.00 TO 4.50 Class II</u>
2 lanes undivided	2L	16,200	1,500	880	850
2 lanes one-way	2LO	20,600	1,910	2,220	2,170
3 lanes two-way	3L	17,000	1,580	920	890
3 lanes one-way	3LO	31,000	2,890	3,340	3,280
4 lanes undivided	4L	25,700	2,390	1,390	1,360
4 lanes divided	4LD	34,300	3,190	1,850	1,810
5 lanes two-way	5L	34,300	3,190	1,850	1,810
6 lanes divided	6LD	51,700	4,810	2,780	2,730
8 lanes divided	8LD	63,400	5,900	3,400	3,350
4 lanes expressway	4LX	81,700	7,200	4,090	
6 lanes expressway	6LX	125,400	11,000	6,270	
8 lanes expressway	8LX	171,100	15,100	8,550	
10 lanes	10LX	213,800	18,800	10,690	

**Table TE 2b: Level of Service E Intersection Thresholds**

<u>Level of Service</u>	<u>Critical Movement</u>	<u>HCM Operational Analysis</u>
<u>E</u>	<u>1500</u>	<u>Greater than 55.0 to 80.0 seconds of delay</u>

**Table TE 2c: Level of Service E Intersection Thresholds**

<u>Urban Street Class</u>	<u>I</u>	<u>II</u>	<u>III</u>
<u>Range of Free Flow Speeds (FFS)</u>	<u>55 to 45 miles per hour</u>	<u>45 to 35 miles per hour</u>	<u>35 to 30 miles per hour</u>
<u>Typical FFS</u>	<u>50 miles per hour</u>	<u>40 miles per hour</u>	<u>35 miles per hour</u>
<u>LOS E</u>	<u>Average Travel Speed (Miles per Hour)</u>		
	<u>Greater than 16 to 21</u>	<u>Greater than 13 to 17</u>	<u>Greater than 10 to 14</u>

**Policy 1.1-f:** Pursuant to Policy 1.1-b, Test One is satisfied if the road link volumes exceeded the daily Level of Service D Standard on August 31, 1989 (as listed in Table TE-S-1) and there is no more than a five percent (5%) increase in traffic from new development orders issued on or after February 1, 1990 above the daily Level of Service D Standard on such links. Pursuant to Policy 1.1-b, Test Two is satisfied if the road link projected volume exceeds the daily Level of Service D Standards and there is no more than a five percent (5%) increase from new development orders issued on or after February 1, 1990 above the daily Level of Service D Standard on such Links based upon traffic assignments in Traffic Impact Studies and not the model. No more than one fifth (1/5th) of the five percent (5%) on a link may be used by any single project. [9J 5.0055(2)(a) F.A.C.] [9J 5.0055(2)(c) F.A.C.] [9J 5.019(4)(c)1 F.A.C.]

**Policy 1.1-g:** For purposes of Test One and Alternate Test One, an applicant may receive a development order based upon assured construction, provided the issuance of building permits is phased to roadway construction either by a condition of the approval or a developer's agreement. Building permits will not be issued until the construction of the roadway project begins.

Phasing a development to assure construction allows larger developments with longer build out periods, that could not be approved in total due to inadequate roadway capacity, to be built as roadway projects are built. Such development is reviewed in the Concurrency Management System based on the assumption that the assured roadway construction will be built. This allows a development to establish an anticipated schedule for the beginning of each phase. Building permits will not be issued until the construction of the roadway project begins. This ensures that the traffic from development is not on the roadway network until the necessary roadway facilities are in place.

Assured construction is defined as road construction improvements scheduled to be made to the Major Thoroughfare system by one or more of the following means:

- 1) Inclusion in the adopted Five-Year County Road Program for commencement of construction; provided any anticipated non-public funds are secured by performance security;
- 2) Inclusion in the adopted Five-Year State Department of Transportation Work Program for commencement of construction;
- 3) A major intersection or link improvement for which a contract for construction which, is secured by performance security, has been executed and which, by its terms, requires that construction be completed within five (5) years;
- 4) A major intersection or link improvement, which will be constructed pursuant to a road agreement; and which, by its terms, requires that construction be completed within five (5) years;
- 5) Major intersection or link improvements which are required to be constructed pursuant to a condition of a development order which by its terms requires that it be completed within five (5) years and which has been secured by performance security;
- 6) Specific inclusion in the capital improvements element of a municipal comprehensive plan for commencement of construction within five (5) years

provided: (1) the improvements are financially feasible, based on currently available public revenue sources adequate to complete the improvement; and (2) a comprehensive plan amendment would be required to eliminate, defer, or delay construction; or

- 7) For purposes of a concurrency certificate for a development order only, a major intersection or link that the applicant agrees to construct and guarantee through a condition of approval, or agreement; said construction to be: (1) completed prior to issuance of the certificate(s) of occupancy which are phased to the improvement(s); and (2) secured by performance security within six (6) months of issuance of the development order.

Development orders for Developments of Regional Impact (D.R.I.s) with a project build out of more than five years may meet ~~Test One\_ -or Alternate Test One~~ based on development order conditions that phase building permits to assured construction, for the first five years of the project, and to the construction of identified links in the 2020 Plan Network beyond the first five years of the project. No building permits within the D.R.I. may be issued until the roadways that the building permits are phased to are under construction.

Notwithstanding any other provisions of this Element, any project which is a D.R.I., located east of I-95 which requires any single roadway project costing in excess of \$15 million to meet concurrency, may treat that roadway project as assured construction if the roadway project is in the first three years of an adopted work program. The D.R.I. development order must include a condition that the road project must be under actual construction no more than three years after the issuance of the certificate of occupancy (or functional equivalent) that precipitates the need for the road project.

For any roadway project which is being relied upon as assured construction as outlined above, the Capital Improvements Element must be amended to include:

- 1) The estimated date of commencement of actual construction and the estimated date of project completion; and
- 2) A provision that a plan amendment is required to eliminate, defer, or delay construction of the road.

For purposes of Test Two, a development order shall not be issued unless the development meets the established L.O.S. standard. ~~[9J-5.0055(2)(a) F.A.C.] [9J-5.0055(2)(c) F.A.C.] [9J-5.019(4)(c)1 F.A.C.]~~

Relocate the following policies under Objective 1.4, and renumber as shown:

- Policy 1.1-k 1.4-v
- Policy 1.1-l 1.4-w
- Policy 1.1-m 1.4-x

## **OBJECTIVE 1.2      Level of Service Exceptions**

**Policy 1.2-b:** Special methodologies shall be established as set forth in this policy and the Traffic Performance Standards affordable housing provision to encourage and facilitate the development and geographic dispersal of very low and low income housing throughout the County. Two types of housing developments (projects) may qualify for the special methodologies. These are mixed housing and 100 percent very low and low income housing developments. The cumulative impact from both mixed housing projects and 100% affordable housing projects shall not exceed three percent (3%) of the peak season, peak hour Level of Service D Standard on any link.

### **1. MIXED HOUSING**

Mixed projects, which promote a balance of housing opportunities need not meet the Level of Service Standards of this Element if the project traffic is less than or equal to three percent (3%) of the peak season, peak hour Average Daily Traffic Level of Service D Standard on any Link.

~~In order for a mixed housing project to use the Special methodology, it must promote the Goals, Objectives and Policies of the Land Use Element. To ensure the promotion of~~

these Goals, Objectives, and Policies, a mixed housing project must fulfill all requirements of the Traffic Performance Standards Exemption Criteria. This criteria establishes two levels of review. First, the mixed housing project must enhance the economic balance of households in the area. Second, the mixed housing project must fulfill a minimum level of variable criteria for a development of its size as established in the Traffic Performance Standards Exemption Criteria based on the provisions of this policy.

### **1. Mixed Housing Balance**

The economic balance of households within a designated sector should promote the following ranges\* of housing opportunities:

- Very low (up to 50% of the median) 10-40%
- Low (from 50% up to 80% of the median) 10-40%
- Moderate (from 80% up to 120% of the median) 20-70%
- Middle (from 120% up to 150% of the median) 10-20%
- High (over 150% of the median) 5-30%

\* the ranges are established to reflect the family income distribution of Palm Beach County. See the Support Document. (Section II.A.6.d.2)

The developer must ensure the continued availability of low and very low income housing units for no less than 10 years for sale developments and no less than 15 years for rental developments. Other provisions include accessibility, growth management and urban design considerations. The required percentage of low and very low income housing units in any development will vary according to a sector analysis of housing needs.

In no case will a mixed housing project be allowed to exacerbate an existing imbalance of very low/low income housing opportunities within the sector of the proposed development. A sector is defined as a geographic area that shall include and be relative to the size and location of the proposed development. It shall consist of one or more neighborhoods that contain a school, an integrated network of residential and collector streets bounded by arterial roads, civic uses, and localized shopping and employment opportunities. The sector will include a minimum of one census tract but shall not extend beyond important physical boundaries which may include a major arterial roadway or a wildlife refuge.

A mixed housing project shall be consistent with and further the balance of housing opportunities in a sector by providing units which fulfill the minimums for affordable housing in the very low, low and moderate categories based on the existing percentage of affordable housing in that sector:

### **INCOME**

Income Category Of Housing	Percentage Of Affordable Housing Existing Within A Sector & The Minimum Required For Mixed Housing				
	Exist.	Under 20%	20% - 40%	40% - 50%	Over 50%
Very Low & Low*	Exist.	Under 20%	20% - 40%	40% - 50%	Over 50%
	Min.**	40%	30%	20%	10%
Moderate	Exist.	Under 20%	20% - 60%	60% - 70%	Over 70%
	Min.**	20%	10%	N/A	N/A

\* The specific percentage of very low and/or low required in a project is established as 50% of each type of housing with the exception of projects with only owner occupied units. These projects may fulfill the minimum requirement of Very low and low income units with the provision of all low income units.

\*\* Minimum percentages as applied to a number of units to be constructed will be rounded down to the nearest whole unit number or one unit, whichever is greater.

## 2. Variable Criteria Review

A mixed housing project shall meet a minimum level of the variable criteria for a development of its size as required in the Traffic Performance Standards Exemption Criteria based on the following provisions:

Housing Affordability shall be evaluated based on the definition of affordable housing and the income categories found in the Comprehensive Plan. The development shall be reviewed for:

- opportunities for very low and/or low income households;
- opportunities for very low and/or low income home ownership;
- variation of very low and/or low income housing types, and
- efficiency of the unit (energy efficient heating; cooling including passive cooling and landscaping, and appliances).

Accessibility shall be evaluated based on an unobstructed fifteen minute walk (approximately 3/4 of a mile). The development shall be reviewed for proximity to:

- mass transit;
- employment opportunities;
- retail, social, medical services; and
- recreational amenities.

Urban Design shall be evaluated for the efficiency and quality of life promoted through the physical development. The development shall be reviewed for:

- efficiency
- use of underutilized capacity of existing infrastructure;
- promotion of infill development;
- use of xeriscaping;
- maintaining open space; and
- providing interconnection within and to adjacent properties (including providing pedestrian/bike paths).

### Quality of life

- encouraging a sense of place, community;
- minimizing negative impact or externalities on and off site;
- providing recreational amenities; and
- promoting a healthy and safe place to live.

## 2. 100 PERCENT VERY LOW AND LOW INCOME HOUSING

An affordable housing project that consists of one hundred percent (100%) very low and low income housing units need not meet the ~~Level of Service Standards~~ of this Element if the project traffic is less than or equal to one percent (1%) of the peak season, peak hour, Average Daily traffic Level of Service D Standard on any link. Traffic from these projects may not cumulatively exceed one percent (1%) of the peak season, peak hour Adopted Level of Service D Standard on any link in any one year. The maximum cumulative traffic from these projects on any link is three percent (3%) of the peak season, peak hour Adopted Level of Service D Standard.

~~The cumulative impact from both mixed housing projects and 100% affordable housing projects shall not exceed three percent (3%) of the Adopted level of Service D Standard on any link.~~

**Policy 1.2-f:** The Palm Beach County Board of County Commissioners finds the following facilities are constrained facilities and development orders shall be evaluated using the specific level of service standards identified herein instead of the Policy 1.1-b general level of service standards.

- 1) Center Street, from Indiantown Road to Loxahatchee River Road, is hereby designated as a Constrained Roadway at a Lower Level of Service (CRALLS) facility and its level of service shall be for ~~Test One~~, 15,500 trips on an ADT basis and 1,480 trips on a peak hour basis.

2) Center Street, from Loxahatchee River Road to Alternate A-1-A, is hereby designated as a CRALLS facility and its level of service shall be for ~~Test One~~, 20,700 trips on an ADT basis, and 1,990 trips on a peak hour basis. ~~For Alternative Test One, the level of service shall be~~ 1,180 trips on a peak hour peak direction basis, and an intersection critical volume of 1,400.

3) Northlake Boulevard, from Military Trail to Prosperity Farms Road, is designated as a CRALLS facility with LOS E. The facility's level of service shall be 49,000 trips on an ADT basis, and ~~4,400~~ 4,560 trips on a peak hour basis (2 way). ~~For Alternative Test One, the level of service shall be~~ 3,890 on a peak hour peak direction basis and an intersection critical volume of 1,500.

4) Northlake Boulevard, from I-95 to Congress Avenue, is hereby designated as a CRALLS facility with LOS F. The facility's level of service shall be 60,000 trips on an ADT basis, and 5,460 trips on a peak hour basis (2 way). ~~For Alternative Test One, the level of service shall be~~ 3,890 on a peak hour peak direction basis and an intersection critical volume of 1,500. If the level of service threshold volumes for LOS D or LOS E are increased above the proposed volumes shown above, the new level of service threshold volumes shall be used.

5) Clint Moore Road from Lyons Road to Jog Road is hereby designated as a CRALLS facility with ~~LOS F for Test One and Alternative Test One~~. The LOS standard volumes shall be exclusively for the purpose of concurrency for the Delray Training Center, and shall be in effect until which time this segment of Clint Moore Road is widened to four lanes. Once the roadway segment is widened, the Board of County Commissioners shall re-evaluate the CRALLS facility. The facility's level of service standard volumes shall be as shown below:

Year	Peak Hour		
	ADT <del>Test One</del>	Peak Direction <del>Alt Test One</del>	LOS
1997	15,700	1,250	LOS E
1998	16,500	1,310	LOS F
1999	17,300	1,380	LOS F
2000	18,200	1,450	LOS F
2001	19,100	1,520	LOS F

6) The following roadway segments and intersections are hereby designated as a CRALLS facility:

a) Palm Beach Lakes Boulevard from Village Boulevard to I-95  
Daily level of service standard: 54,990 vehicles per day  
Peak hour, peak direction standard: 2,969 vehicles per hour  
Test 2 Volume: 62,100 vehicles per day

b) Palm Beach Lakes Boulevard from I-95 to Executive Center Drive  
Daily level of service standard: 58,040 vehicles per day  
Peak hour, peak direction standard: 2,816 vehicles per hour

c) Australian Avenue from 25th Street to Palm Beach Lakes Boulevard  
Daily level of service standard: 34,839 vehicles per day  
Peak hour, peak direction standard: 1,768 vehicles per hour

d) Intersection of Palm Beach Lakes Boulevard & Village Boulevard  
Critical Sum: 1,820 vehicles per hour

e) Intersection of Palm Beach Lakes Boulevard & I-95 ramps  
Critical Sum: 1,593 vehicles per hour

f) Intersection of Palm Beach Lakes Boulevard & Congress Avenue  
Critical Sum: 1,513 vehicles per hour

g) Intersection of Palm Beach Lakes Boulevard & Australian Avenue  
Critical Sum: 1,431 vehicles per hour

h) Palm Beach Lakes Boulevard from I-95 to Congress Avenue  
Test 2 Volume: 61,040 vehicles per day

This CRALLS facility reflects the commitment of the City of West Palm Beach that the residential portion of the auditorium site in the City shall be limited to 600 units.

7) Tenth Avenue North, from I-95 to Congress Avenue is hereby designated a Constrained Roadway at Lower Level of Service (CRALLS) facility, ~~with 136% of LOS E for Test One, 116% of LOS E for Alternate Test One, and 135% of LOS E for Test Two. For Test One, the facility's level of service standard volumes shall be 46,400 trips on an Average Daily Traffic (ADT) basis, and 4,600 on a peak hour basis (2-way). For Alternate Test One, the level of service standard volume shall be 2,200 on a peak hour peak direction basis and an intersection critical movement volume of 1,500. For Test Two, the level of service standard volume shall be 46,000 on an Average Daily Traffic (ADT) basis.~~

8) The following roadway segments are hereby designated as CRALLS facilities:

a) Forest Hill Boulevard as a 4 lane facility from Wellington Trace (North) to South Shore Boulevard

Daily level of service standard:	39,908 vehicles per day
Peak hour standard:	3,703 vehicles per hour
Peak hour, peak direction standard:	2,183 vehicles per hour

b) Forest Hill Boulevard as a 6 lane facility from South Shore Boulevard to State Road 7

Daily level of service standard:	61,446 vehicles per day
Peak hour standard:	6,169 vehicles per hour
Peak hour, peak direction standard:	3,186 vehicles per hour

9) a) State Road 7 as a 6 lane facility from Forest Hill Boulevard to Lake Worth Road is hereby designated as a CRALLS facility exclusively for the purpose of concurrency for projects with concurrency approvals as of August 24, 1999 and shall be in effect until such time that State Road 7 is widened to 8 lanes. Once the roadway segment is widened, the Board of County Commissioners shall re-evaluate the CRALLS facility. The facility's level of service standard volumes shall be as shown below:

Year	Daily Volume	Peak Hour Volume	Peak Hour, Peak Direction Volume
2000	38,629	3,527	2,016
2001	43,801	4,004	2,221
2002	48,973	4,480	2,427
2003	54,145	4,957	2,632
2004	59,317	5,433	2,837
2005	64,489	5,910	3,042

b) The following segments of State Road 7 as a six-lane facility are hereby designated as CRALLS facilities exclusively for the purpose of concurrency for the expansion of the existing hospital and the construction of the Wellington Medical Phase I project.

1) State Road 7 from Southern Boulevard to Forest Hill Boulevard

Daily level of service:	59,895 vehicles per day
Peak hour standard:	5,485 vehicles per hour

2) State Road 7 from Forest Hill Boulevard to Lake Worth Road

Daily level of service:	58,227 vehicles per day
Peak hour standard:	5,338 vehicles per hour

This CRALLS designation shall remain in effect until the widening of these segments commences.

10) *Deleted in Amendment Round 01-2*

11) *Deleted in Amendment Round 01-1*

12) through 16) *Deleted in Amendment Round 01-2*

17) The following roadway segments are hereby designated as CRALLS facilities exclusively for redevelopment of the Jai Alai Fronton site, located in the Town of Mangonia Park, by the 45th Street Arena project:

a) 45th Street from Village Boulevard to I-95

Daily Level of Service Standard	50,975 vpd
Peak Hour Level of Service Standard	4,756 vph

b) 45th Street from I-95 to Congress Avenue

Daily Level of Service Standard	56,425 vpd
Peak Hour Level of Service Standard	5,366 vph

c) 45th Street from Congress Avenue to Australian Avenue

Peak Hour Level of Service Standard	4,638 vph
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18) Prosperity Farms Road from Donald Ross Road to Gardens Parkway is hereby designated as a Constrained Roadway at a Lower Level of Service (CRALLS) facility. Its level of service shall be: ~~for Test One~~, 19,460 trips on a daily basis and 1,810 trips on a peak hour basis. The County shall require that all applicants seeking to utilize this CRALLS ensure the construction of appropriate portions of this segment as determined by the County Engineer as a three lane section with landscaping.

19) Prosperity Farms Road between Burns Road and Northlake Boulevard is hereby designated as a Constrained Roadway at a Lower Level of Service (CRALLS) facility. Its level of service shall be: ~~for Test One~~, 20,950 trips on a daily basis and 1,948 trips on a peak hour basis.

20) PGA Boulevard, from the Ronald Reagan Turnpike to Prosperity Farms Road, and the intersection of PGA Boulevard and Military Trail are hereby designated as Constrained Roadways at Lower Level of Service (CRALLS) facilities exclusively for the purpose of concurrency for properties which were the subject of a forbearance agreement with the City of Palm Beach Gardens dated April 15, 1999 and are developing at densities and/or intensities no greater than those provided for in that forbearance agreement. All concurrency certificates issued by Palm Beach County utilizing this CRALLS shall be conditioned to require that: 1) prior to any development order for any project seeking to utilize this CRALLS, the funds for design, acquisition, and construction of all roads in the City Center Linkages Plan associated with the project, shall irrevocably be pledged to ensure construction is commenced as required by the County Engineer; and 2) the City of Palm Beach Gardens development order approvals ensure that all those elements of the City Center Linkages Plan, as approved by the City of Palm Beach Gardens, which are associated with a particular project, are constructed prior to issuance of any certificate of occupancy within that project.

a) PGA Boulevard from Ronald Reagan Turnpike to Central Boulevard

Daily Level of Service Standard	51,177 vehicles per day
Peak Hour Level of Service Standard	4,759 vehicles per hour
Test 2 Volume	53,000 vehicles per day

b) PGA Boulevard from Central Boulevard to Military Trail

Daily Level of Service Standard	50,738 vehicles per day
Peak Hour Level of Service Standard	4,719 vehicles per hour

c) PGA Boulevard from Military Trail to I-95

Daily Level of Service Standard	50,780 vehicles per day
Peak Hour Level of Service Standard	5,513 vehicles per hour

d) PGA Boulevard from I-95 to RCA Boulevard

Daily Level of Service Standard	67,674 vehicles per day
Peak Hour Level of Service Standard	7,084 vehicles per hour

	Test 2 Volume	68,000 vehicles per day
e)	PGA Boulevard from RCA Boulevard to Alternate A1A	
	Daily Level of Service Standard	68,055 vehicles per day
	Peak Hour Level of Service Standard	7,120 vehicles per hour
	Test 2 Volume	60,000 vehicles per day
f)	PGA Boulevard from Alternate A1A to Fairchild Gardens Avenue	
	Daily Level of Service Standard	59,636 vehicles per day
	Peak Hour Level of Service Standard	5,825 vehicles per hour
g)	PGA Boulevard from Fairchild Gardens Avenue to Prosperity Farms Road	
	Daily Level of Service Standard	54,283 vehicles per day
	Peak Hour Level of Service Standard	5,327 vehicles per hour
h)	Intersection of PGA Boulevard and Military Trail Critical Volume of 1,800	

The CRALLS designation on the above will be revisited if the City of Palm Beach Gardens: 1) fails to adopt the City Center Linkages Plan dated November 1999 into the City's Comprehensive Plan by April 30, 2001 or 2) fails to provide the County's Planning Director a report by March 1st of each year beginning in year 2002 showing that concurrent with the development approvals, the City: a) is requiring the construction of the City Center Linkages Plan dated November 1999; b) has completed an evaluation of the feasibility of a fixed-route bus transit service to circulate within the City Center; c) has completed the construction of the Hood Road extension from Alternate A1A to Prosperity Farms Road by the year 2003; and d) has commenced construction to widen Burns Road to four lanes from Military Trail to Prosperity Farms Road.

i) The level of service standards for PGA Boulevard between Prosperity Farms Road and United States Highway 1 will be:

- (1) ~~Test One~~—50,200 trips on an ADT basis and 4,830 trips on a peak hour basis;
- (2) ~~Alternate Test One~~—2,990 trips on a peak hour peak direction basis, and an intersection critical volume of 1,500;
- (3-2) Test Two - 56,700 trips on an ADT basis.

21) The following roadway segments are hereby designated as a CRALLS facility:

- a) Military Trail from 45th Street to Community Drive
 

Daily level of service standard:	36,334 vehicles per day
Peak hour standard:	3,400 vehicles per hour
- b) Military Trail from Community Drive to Okeechobee Boulevard
 

Daily level of service standard:	49,208 vehicles per day
Peak hour standard:	4,587 vehicles per hour

This CRALLS designation shall remain in effect until the widening of Military Trail to 6 lanes commences, and shall be exclusively for use by the Jewish Community Center expansion project.

22) Community Drive, from Military Trail to Village Boulevard, is hereby designated as a Constrained Roadway at a Lower Level of Service (CRALLS) facility and its level of service shall be for ~~Test One~~, 18,615 trips on an ADT basis and 1,738 on a peak hour basis.

**Policy 1.2-i:** The Palm Beach County Board of County Commissioners shall allow for the designation of Transportation Concurrency Management Areas (TCMAs) within Palm Beach County consistent with the requirements of Rule 9J-5.0055(5), F.A.C. as specified in the Unified Land Development Code (ULDC). [9J-5.0055(5) F.A.C.]

- 1) At least 30 days prior to transmittal of a local government Comprehensive Plan amendment designating a TCMA, the initiating local government shall schedule and hold a Pre-application Conference to address:

- a) Whether the TCMA is compatible with and furthers the various portions and elements of the County's Comprehensive Plan;
- b) The data and analysis to support the size and boundaries of each TCMA;
- c) Whether the TCMA contains an integrated and connected network of roads and whether provision is made for multiple, viable alternative travel paths or modes for common trips;
- d) The requested areawide level of service standard and whether the existing and projected transportation service and facility requirements will support the requested areawide level of service standard. The areawide level of service standard shall only be established for facilities with similar functions serving common origins and destinations;
- e) Whether the requested areawide level of service standard and the other transportation services and programs will support infill development or redevelopment;
- f) Whether the planned roadway improvements and other services and programs will accomplish mobility within and through each TCMA;
- g) Whether the TCMA transcends municipal boundaries and, if so, the impacts to the affected jurisdiction; and
- h) Changes needed to the initiating local government's capital improvement element in order to meet and maintain the areawide level of service standard.

The Pre Application Conference procedures shall provide for representatives from the local government initiating the Comprehensive Plan amendment, the County Traffic Division and Planning Division, the Metropolitan Planning Organization, the Florida Department of Transportation, and the Treasure Coast Regional Planning Council.

- 2) Another conference shall be held with the representatives identified above with 30 days of receipt by the initiating local government of the State planning agency's Objections, Recommendations and Comments Report.
- 3) A TCMA shall not become effective until:
  - a) The Board of County Commissioners finds the designation of the TCMA is consistent with the County's Comprehensive Plan, finds the areawide level of service standard is appropriate and can be maintained, and adopts an amendment to the County's Comprehensive Plan establishing the TCMA;
  - b) A final order is issued by the Department of Community Affairs or Administration Commission finding the amendment or amendments establishing the TCMA in compliance in accordance with Section 163.3184, Florida Statutes; and
  - c) The ULDC is amended to provide for the adopted areawide level of service standard.

**Policy 1.2-k:** The Palm Beach County Board of County Commissioners shall allow for the designation of Transportation Concurrency Exception Areas (TCEAs) within Palm Beach County consistent with the requirements of Rule 9J-5.0055(6), F.A.C. as specified in the Unified Land Development Code (ULDC). TCEAs allow an exception from the concurrency requirements for transportation facilities if the proposed development is consistent with the adopted local government comprehensive plan and is located within an area designated in a comprehensive plan for urban infill development, urban redevelopment, or downtown revitalization. [9J-5.0055(6) F.A.C.]

- 1) At least 30 days prior to transmittal of a local government Comprehensive Plan amendment designating a TCEA, the local government initiating the amendment shall schedule and hold a pre-application conference to address:

- a) Whether the area proposed as a TCEA is located within an area for urban infill development, urban redevelopment or downtown revitalization;
- b) The data and analysis to support the size and boundaries of each TCEA;
- c) The inclusion of the short and long range impacts of the TCEA designation on County roads and roads on the Florida Intrastate Highway System;
- d) Guidelines and programs or both which address the specific transportation needs of the TCEA; and
- e) The coordination of the local government's plan amendment and a corresponding amendment to the County Comprehensive Plan. It is the intent that the County amendment will rely upon the data and analysis provided by the local government.

The Pre Application Conference procedures shall provide for representatives from the local government initiating the Comprehensive Plan amendment, the County Traffic Division and Planning Division, the Metropolitan Planning Organization, the Florida Department of Transportation, and the Treasure Coast Regional Planning Council.

The pre application process and review may be simultaneous with the Intergovernmental Plan Amendment Review Committee (IPARC) process provided that there has been previous consultation between the local government and the County Planning Division.

- 2) Another conference shall be held with the representatives identified above with 30 days of receipt by the initiating local government of the State planning agency's Objections, Recommendations and Comments Report. The purpose of this conference will be to address outstanding objections and comments.

**Policy 1.2-o:** The Unified Land Development Code (ULDC) shall contain provisions to exempt developments located within urban infill, urban redevelopment, existing urban service, or downtown revitalization areas which pose only special part-time demands on the transportation system from the transportation concurrency requirements. The (ULDC) provisions shall include:

- 1) Language enabling the above described exception; and
- 2) Guidelines for granting the special part-time demand exception from the transportation concurrency requirements. The guidelines shall include the impacts to the Florida Intrastate Highway System, and the following other guidelines shall, at a minimum, be considered:
  - a) The number of trips generated by the development and the modal split;
  - b) When (months and time of day) the events are scheduled;
  - c) The location of the development;
  - d) The type of development (e.g., public or private);
  - e) Development order conditions, including those designed to minimize use of single occupancy vehicles (i.e., transportation demand management strategies);
  - f) Limiting the geographic area where the exception shall apply; and
  - g) Monitoring and enforcement provisions.

**Policy 1.2-p:** The County shall include provisions in the ULDC which may allow a project to be exempted from transportation concurrency requirements provided that the project otherwise is consistent with the adopted Comprehensive Plan and demonstrates that it will promote public transportation pursuant to ss.163.3180(5)(b) F.S. and 163.3164(28) F.S. The following criteria shall be used to determine compliance with the statute for this exception:

- 1) All projects must be located within the County=s Urban/Suburban Tier and be adjacent to (i.e., abutting or separated only by other public or governmental rights-of-way) the Tri-County Commuter Rail Authority line, or be adjacent to a street which is served by Palm Tran; and

- 2) All projects shall provide a site to Tri-Rail at the project site adjacent to the Tri-Rail tracks for a station platform, ticket booth, parking for at least 400 automobiles. When a project is not adjacent to Tri-Rail, it shall provide a bus stop facility capable of handling two or more Palm Tran buses at a time with a covered waiting area of sufficient size to accommodate at least 10 2% of its employees; and
- 3) The project shall provide a financial incentive in the form of a subsidy of at least 50% of the annual ticket cost to at least 5 15% of the persons employed at the project site for riding Tri-Rail and/or Palm Tran to and from the project site a minimum of 200 working days per year. As an alternative, the development may provide equivalent funds directly to Palm Tran to subsidize this service; and
- 4) The project shall provide a ride-sharing information service to persons employed at the project site; and
- 5) The project shall provide emergency transportation to those employees using mass transit, ride sharing, or other alternative modes of transportation (ie. bicycles or pedestrian); and
- 6) The project shall apply access management techniques along all roadways fronting the project; and
- 7) The project shall provide external pedestrian access to the project, as well as an internal pedestrian system, accommodating persons with disabilities, as well as persons using alternative modes of transportation to the automobile; and
- 8)
  - (a) Projects which promote economic development through job creation shall, at a minimum, be of 200 acres in size, and create, at project build-out, an estimated 5,000 jobs at the project site; or,
  - (b) Projects developed by a not-for-profit agency in order to provide essential public services shall, at a minimum, be of 20 acres in size, and create, at build-out, an estimated 2,000 jobs at the project site; and
- 9) The project may be a mixed use project, incorporating residential and/or commercial components. However, in no event shall residential and/or commercial retail uses combine to comprise more than 45% of the gross floor area square footage of the site; and
- 10) The project shall not be located within the Coastal High Hazard Area, as identified in the Future Land Use Map.

Projects utilizing this exemption may be required to provide roadway, intersection, and/or signalization improvements to minimize their impact on the road network. They shall also provide a transportation analysis that illustrates their impact on the Florida Intrastate Highway System to ensure that those impacts are considered in the approval process.

### **OBJECTIVE 1.11 Air, water, and Other Environmental Concerns**

**Policy 1.11-c:** ~~The County shall continue to support implementation of the automobile emission inspection program as required by the State of Florida Clean Outdoor Air Law, consistent with the Conservation Element.~~

## B. Future Land Use Element, Table 3.1-1 Revisions

**REVISIONS:** To revise to be consistent with traffic performance standards. The revisions are shown with the added text underlined, and the deleted text ~~struck out~~.

**TABLE 3.1-1**  
**Service Provision by Service Area**

Service/ Facility	Unit of Measure	Rural Service Area	Limited Urban Service Area	Urban Service Area
Traffic	Volume to capacity— <u>Delay Speed</u>		Countywide	
		Includes roads in both the incorporated and unincorporated areas. The level of service or facility is provided at the same level in each of the service areas. There are provisions for exemptions from concurrency within the Coastal Residential Exception Area (as defined in Transportation Element Objective 1.2) and in the Revitalization and Redevelopment areas.		
Mass Transit	Headways		Countywide	
		A countywide LOS is used for concurrency purposes. Generally, shortened headways are provided in the Urban/Suburban Tier as a preferential level of enhanced service delivery.		
Storm Water	Storm Return Frequency		Countywide	
		While there is a Countywide LOS, the standard as applied to development will vary, based upon the type of development and capacity of individual drainage basins.		
Potable Water	Gallons per Capita per Day	Well	Well (minimum LOS) Centralized Potable Water Supply System (allowable LOS)	Centralized Potable Water Supply System
Sanitary Sewer	Gallons per Capita per Day	Septic tank	On-site Sewage Disposal System (minimum LOS) Centralized Sanitary Sewer System (Allowable LOS)	Centralized Sanitary Sewer System
Fire/Rescue	Response Time		Countywide	
		A countywide average response time is used for concurrency purposes. Actual response time may vary based upon distance from a fire station.		
Parks	Acres per Capita		Countywide Regional, Beach, and District Parks	
		A countywide LOS is used. Distances from parks to residences will vary, based on the density and distribution of population. Additionally, within the Urban/Suburban Tier, some local parks may be provided.		
Solid Waste	Pounds per Capita per Day		Countywide	
Libraries	Volumes and Space per Capita		System Wide	
		The Library LOS is not used for concurrency purposes: a system wide average LOS is used. The actual holdings of an individual branch library may vary.		

STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on August 28, 2002.  
DATED at West Palm Beach, FL on 10/10/02.  
DOROTHY H. WILKEN, Clerk  
By: Debbie Brown D.C.